LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) Polymorph 1 of bilastin ~~characterised by~~ having, upon X-ray crystallography analysis, ~~with~~ crystal parameters of ~~approximately~~ substantially the following:

Crystallograph system	Monoclinical	
Spatial group	P2 (1)/c	
Crystal size	0.56 x 0.45 x 0.24 mm	
Cell dimension	a = 23.38 (5) A angstrom	$\alpha = 90°$
	b = 8.829 (17) A	$\beta = 90°$
	c = 12.59 (2) A	$Y = 90°$
Volume	2600 A^3	
Z, calculated density	4, 1.184 mg/m^3	

2. (Currently amended) The Polymorph 1 of bilastin according to Claim 1, ~~distinguished in that it~~ wherein said Polymorph 1 has an infrared spectrum in potassium bromide with the following bands:

Wavelength (cm^{-1})

3057

2929

2883

2857

2797

1666

1481

1431

1346
1326
1288
973
945
829

3. (Currently amended) The Polymorph 1 of bilastin according to Claim 1, ~~distinguished because it~~ wherein said Polymorph 1 has an infrared spectrum in potassium bromide ~~like the one~~ which is substantially identical to that shown in Figure 1.

4. (Currently Amended) A process for preparing the Polymorph ~~Procedure to prepare polymorph~~ 1 of bilastin according to Claim 1 ,wherein said process comprises ~~that consists in~~ heating ~~the~~ bilastin ~~obtained as described in US patent 5,877,187~~ in a solvent selected from the group consisting of short ~~chained~~ chain alcohols, ~~preferably isopropylic alcohol and n-butanol,~~ acetone and ~~its mixtures~~ mixtures thereof .

5. (Currently Amended) A process for preparing the Polymorph ~~Procedure to prepare polymorph~~ 1 ~~from~~ of bilastin according to Claim 1 , wherein said process comprises ~~that consists in~~ heating polymorphs 2 and 3 of bilastin or ~~its mixtures~~ a mixture thereof, in a solvent selected from the group consisting of short ~~chained~~ chain alcohols, ~~preferably isopropylic alcohol and n-butanol,~~ acetone and ~~its mixtures~~ mixtures thereof .

6. (Currently amended) A method for obtaining at least one of an antihistaminic and an antiallergenic effect in a subject in need thereof, which method comprises administering to said subject a sufficient amount of the Polymorph 1 of bilastin according to Claim 1 ~~for antihistaminic and antiallergic use.~~ to produce said effect.

7. (Currently amended) A method for obtaining at least one of an antihistaminergic and an antiallergic effect in a subject in need thereof, which method comprises administering to said subject a sufficient amount of the Polymorph 1 of bilastin according to Claim 2 ~~for antihistaminergic and antiallergic use.~~ to produce said effect.

8. (Currently amended) A method of obtaining at least one of an antihistaminergic and an antiallergic effect in a subject in need thereof, which method comprises administering to said subject a sufficient amount of the Polymorph 1 of bilastin according to Claim 3 ~~for antihistaminergic and antiallergic use.~~ to produce said effect.

9. (Currently amended) A pharmaceutical preparation ~~consisting in~~ comprising an effective amount of the Polymorph ~~polymorph~~ 1 of bilastin according to Claim 1 and an acceptable pharmaceutical excipient.

10. (Currently amended) A pharmaceutical preparation ~~consisting in~~ comprising an effective amount of the Polymorph ~~polymorph~~ 1 of bilastin according to Claim 2 and an acceptable pharmaceutical excipient.

11. (Currently amended) A pharmaceutical preparation ~~consisting in~~ comprising an effective amount of the Polymorph ~~polymorph~~ 1 of bilastin according to Claim 3 and an acceptable pharmaceutical excipient.

12. (Currently amended) A method for preparing ~~Use of polymorph 1 of bilastin according to Claim 1 to prepare~~ a medicinal product ~~to treat~~ for treating allergic reactions and pathological processes mediated by histamine, said method comprising incorporating within a medicinal product an amount of the Polymorph 1 of bilastin according to Claim 1 effective to treat said allergic reactions and pathological processes mediated by histamine .

13. (Currently amended) A method for preparing ~~Use of polymorph 1 of bilastin according to Claim 2 to prepare~~ a medicinal product ~~to treat~~ for treating allergic reactions and pathological processes mediated by histamine, said method comprising incorporating within a medicinal product an amount of the Polymorph 1 of bilastin according to Claim 2 effective to treat said allergic reactions and pathological processes mediated by histamine.

14. (Currently amended) A method for preparing ~~Use of polymorph 1 of bilastin according to Claim 3 to prepare~~ a medicinal product ~~to treat~~ for treating allergic reactions and pathological processes mediated by histamine, said method comprising incorporating within a medicinal product an amount of the Polymorph 1 of bilastin according to Claim 3 effective to treat said allergic reactions and pathological processes mediated by histamine .

15. (Currently amended) A process for preparing the Polymorph ~~Procedure to prepare polymorph~~ 1 of bilastin according to Claim 2 , wherein said process comprises ~~that consists in~~ heating ~~the~~ bilastin ~~obtained as described in US patent 5,877,187~~ in a solvent selected from the group consisting of short ~~chained~~ chain alcohols, ~~preferably isopropylic alcohol and n-butanol,~~ acetone and ~~its mixtures~~ mixtures thereof .

16. (Currently amended) A process for preparing the Polymorph ~~Procedure to prepare polymorph~~ 1 of bilastin according to Claim 3 , wherein said process comprises ~~that consists in~~ heating ~~the~~ bilastin ~~obtained as described in US patent 5,877,187~~ in a solvent selected from the group consisting of short ~~chained~~ chain alcohols, ~~preferably isopropylic alcohol and n-butanol,~~ acetone and ~~its mixtures~~ mixtures thereof .

17. (Currently amended) A process for preparing thePolymorph ~~Procedure to prepare polymorph~~ 1 ~~from~~ of bilastin according to Claim 2 ,wherein said process comprises ~~that consists in~~ heating polymorphs 2 and 3 of bilastin or ~~its mixtures~~ a mixture thereof, in a solvent selected from the group consisting of short ~~chained~~ chain alcohols, ~~preferably isopropylic alcohol and n-butanol,~~ acetone and ~~its mixtures~~ mixtures thereof .

18. (Currently amended) A process for preparing the Polymorph ~~Procedure to prepare polymorph~~ 1 ~~from~~ of bilastin according to Claim 3 , wherein said process comprises ~~that consists in~~ heating polymorphs 2 and 3 of bilastin or ~~its mixtures~~ a mixture thereof, in a solvent selected from the group consisting of short ~~chained~~ chain alcohols, ~~preferably isopropylic alcohol and n-butanol,~~ acetone and ~~its mixtures~~ mixtures thereof .

Add the following new claims:

19. (New) The process of Claim 4, wherein the short chain alcohol is at least one of isopropylic alcohol and n-butanol.

20 (New) The process of Claim 5, wherein the short chain alcohol is at least one of isopropylic alcohol and n-butanol.

21. (New) The process of Claim 15, wherein the short chain alcohol is at least one of isopropylic alcohol and n-butanol.

22. (New) The process of Claim 16, wherein the short chain alcohol is at least one of isopropylic alcohol and n-butanol.

23. (New) The process of Claim 17, wherein the short chain alcohol is at least one of isopropylic alcohol and n-butanol.

24. (New) The process of Claim 18, wherein the short chain alcohol is at least one of isopropylic alcohol and n-butanol.